

REMARKS

Claims 1-6 and 10 were rejected as anticipated by MURAMOTO et al. 6,198,140. The claims have been amended and reconsideration and withdrawal of the rejection are respectfully requested.

Claim 1 has been amended to define one embodiment of the varactor element with greater particularity (such as shown in Figure 3C) and claim 5 has been amended to define a further embodiment of the varactor element with greater particularity (such as shown in Figure 5). In each of these embodiments, the varactor includes a second conductivity type well in the first conductivity type substrate and two diffusion regions in a surface of the well, where the two diffusion regions are directly connected to a same terminal. In the embodiment of claim 1, the two diffusion regions have the same conductivity type as the well and in the embodiment of claim 5, the two diffusion regions have a conductivity type opposite that of the well.

MURAMOTO et al. do not disclose that the transistors in the device have the two diffusion regions defined in the amended claims that are directly connected to a same terminal. The diffusion regions in a transistor are connected to different terminals (source and drain) so that the transistor will work as a switch. Further, MURAMOTO et al. do not disclose that an element connected in this manner has the thinnest gate insulating

film. Accordingly, the amended claims avoid the rejection under §102.

Claims 7-8 and 11-12 were rejected as unpatentable over MURAMOTO et al. and claims 9 and 13-14 were rejected further in view of the admitted prior art (APA). Reconsideration and withdrawal of the rejection are respectfully requested.

These claims depend from claims 1 and 5 and are allowable for the reasons set forth above. In addition, even if one of skill in the art were to modify MURAMOTO et al. to include a varactor element of the APA, there is nothing in the combination that suggests that the varactor have a gate insulating film that is thinner than the thinnest gate insulating film of the transistors. MURAMOTO et al. disclose in Figure 4 that that gate insulating film may be set to a particular thickness depending on life and Vcc, and the APA discloses that the varactor is made at the same time as one of the transistors, with a gate insulating film having a same thickness as one of the transistors, as in Figures 1A-C. There is nothing in the combination that would motivate one of skill in the art to make the varactor gate insulating film "thinner" than (not the same thickness) the thinnest transistor gate insulating film, as in the amended claims. Accordingly, the claims also avoid the rejections under §103.

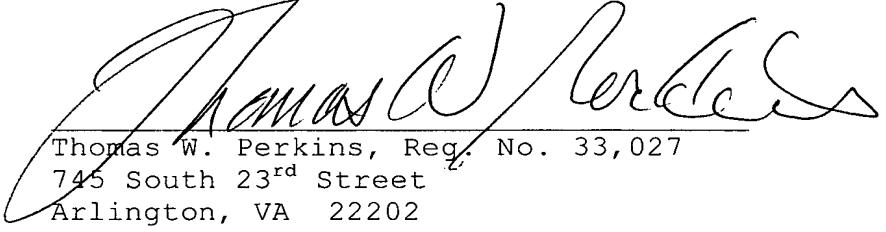
In view of the present amendment and the foregoing remarks, it is believed that the present application has been

placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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